

REMARKS

The claims have been provisionally rejected based on double patenting with respect to claims 1-15 of copending Application No. 09/213,856. It is respectfully requested that this rejection be held in abeyance until claims are allowed at which time, Applicants are prepared to provide appropriate terminal disclaimers.

The rejection of claims 1-15 as unpatentable under 35 U.S.C. 102(b) as anticipated by Gould et al. (US No. 6,088,671) is respectfully traversed.

The claims have been amended to emphasize the clear distinction over Gould et al. Gould et al. does not disclose or suggest means which are responsive to speech queries which are not predetermined speech commands to then attempt to locate predetermined speech commands which are applicable to the speech queries.

Gould et al. only teaches distinguishing spoken text from predetermined speech commands. This is taught in Col. 4, lines 26-67 and Col. 5, lines 1-2 cited by the Examiner. The text is sent to be typed while the recognized predetermined commands are sent to be executed.

Gould et al. does even consider the processing of speech queries which are not predetermined commands. In fact, the process of Gould et al. would in all likelihood treat such non-predetermined speech queries as ordinary text, and send the query language to be typed. It should be noted that the description in Gould Col. 4, line 59 - Col. 5, line 2, sets forth the CPU compares the incoming speech to predetermined commands. Then, if there is a match to one of the predetermined commands, the predetermined command is executed. Otherwise the speech is considered text to be typed. Thus, in Gould et al., a non-predetermined speech query would be considered as text to be typed.

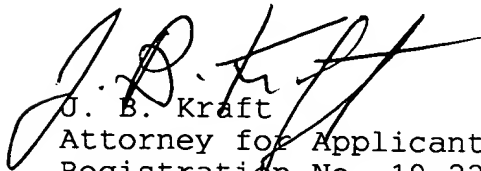
In this connection, the Examiner relies on the next

section in Gould et al., (Col. 5, lines 3-16) as a teaching of means responsive to a speech query for locating applicable commands. Here Gould et al. disclose that if the user wishes to have the computer display an extensive listing of possible predetermined commands, he may speak the predetermined command, "What Can I Say ?" to trigger the display of an extensive list of predetermined commands.

It is submitted that one skilled in the art would not find the term "What Can I Say?" to be anything other than a predetermined command used to trigger a list of commands. It certainly would not be suggestive of a random non-predetermined speech query. There is nothing in Gould et al. suggestive of how any non-predetermined speech query could be interpreted and processed. It would be understood that if even a single word were left out of "What Can I Say?", so that it were spoken: "What Can Say?" or "What I Say?", it would no longer be a command, and would be typed as part of text. Gould et al. does not disclose or suggest means which are responsive to speech queries that are not predetermined speech commands.

In view of the foregoing, claims 1-15, all of the claims in the present patent application are submitted to be in condition for allowance, such allowance is respectfully requested.

Respectfully submitted,

  
J. B. Kraft  
Attorney for Applicants  
Registration No. 19,226  
(512) 473-2303

PLEASE MAIL ALL CORRESPONDENCE TO:

Leslie Van Leeuwen  
IPLaw Dept. - IMAD 4054  
IBM Corporation  
11400 Burnet Road  
Austin, Texas 787582